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World crime trends and emerging issues and responses in the field of crime prevention and criminal justice

Norway, Peru and United States of America: revised draft resolution

Strengthening a targeted crime prevention and criminal justice response to combat illicit trafficking in forest products, including timber

The Commission on Crime Prevention and Criminal Justice,

Reaffirming its resolution 16/1 of 27 April 2007, entitled "International cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources", in which, inter alia, the Commission strongly encouraged Member States to cooperate at the bilateral, regional and international levels to prevent, combat and eradicate illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, where appropriate, through the use of international legal instruments such as the United Nations Convention against Transnational Organized Crime[1] and the United Nations Convention against Corruption,[2]

Recognizing the role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora[3] as the principal international instrument for ensuring that international trade in specimens of wild animals and plants does not threaten their survival, and also recognizing the efforts made to implement that Convention by the parties thereto,

Recalling General Assembly resolution 62/98 of 17 December 2007, by which the Assembly adopted the non-legally binding instrument on all types of forests,

[1] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[2] Ibid., vol. 2349, No. 42146.
[3] Ibid., vol. 993, No. 14537.

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contained in the annex to that resolution, in particular paragraphs 7 (h), (i) and (j) of the instrument,

Recalling also Economic and Social Council resolution 2008/25 of 24 July 2008, in which the Council encouraged Member States to continue to provide the United Nations Office on Drugs and Crime with information on measures taken pursuant to Commission on Crime Prevention and Criminal Justice resolution 16/1, taking into consideration, inter alia, the need for holistic and comprehensive national multisectoral approaches to preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, as well as for international coordination and cooperation in support of such approaches, including through technical assistance activities to build the capacity of relevant national officials and institutions,

Recalling further the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, in which the States Members of the United Nations acknowledged the challenge posed by emerging forms of crime that have a significant impact on the environment, encouraged Member States to strengthen their national crime prevention and criminal justice legislation and invited them to enhance international cooperation, technical assistance and the sharing of best practices in that area, and invited the Commission on Crime Prevention and Criminal Justice to study the nature of the challenge and ways to deal with it effectively,

Recalling Economic and Social Council resolution 2011/36 of 28 July 2011, in which the Council invited Member States to consider making illicit trafficking in endangered species of wild fauna and flora a serious crime, in accordance with their national legislation and article 2, paragraph (b), of the Organized Crime Convention, especially when organized criminal groups are involved,

Emphasizing Economic and Social Council resolution 2012/19 of 26 July 2012, in which the Council urged Member States to consider, among other effective measures, in accordance with their national legal systems, addressing different forms and manifestations of transnational organized crime that have a significant impact on the environment, including trafficking in endangered species of wild fauna and flora,

Reaffirming Economic and Social Council resolution 2013/40 of 25 July 2013, in which the Council encouraged Member States to make illicit trafficking in protected species of wild fauna and flora involving organized criminal groups a serious crime, as defined in article 2, paragraph (b), of the Organized Crime Convention, in order to ensure that adequate and effective means of international cooperation could be afforded under the Convention in the investigation and prosecution of those engaged in illicit trafficking in protected species of wild fauna and flora,

Reaffirming also that in its resolution 68/193 of 18 December 2013, the General Assembly emphasized that coordinated action was critical to eliminate corruption and disrupt the illicit networks that drive and enable trafficking in wildlife, timber and timber products harvested in contravention of national laws,

Recalling that, in that same resolution, the General Assembly strongly encouraged Member States to take appropriate measures, consistent with their domestic legislation and legal frameworks, to strengthen law enforcement and related efforts to combat individuals and groups, including organized criminal groups, operating within their borders, with a view to preventing, combating and eradicating international trafficking in wildlife, forest products, including timber, and other forest biological resources harvested in contravention of national laws and relevant international instruments,

Recognizing that efforts to prevent and address illicit trafficking in forest products, including timber, should take into consideration and involve, where applicable, supply, transit, production and demand,

Recognizing also that efforts to prevent and address illicit trafficking in forest products, including timber, should take into consideration the need for alternative sustainable livelihoods,

Mindful of the need to address illicit trafficking in forest products, including timber, which contributes to deforestation and forest degradation, which in turn have an adverse impact on biodiversity, climate, livelihoods of forest-dependent communities and sustainable development,

Recognizing that the need to strengthen collective efforts in preventing and combating transnational organized crime, money-laundering and corruption is critical, as they can facilitate, in some cases, illicit trafficking in forest products, including timber,

Conscious of the need to promote initiatives to encourage legal trade by countering illicit trafficking in forest products, including timber,

Acknowledging the crucial role played by all relevant stakeholders, including civil society, in particular local communities, in combating illicit trafficking in forest products, including timber,

1. *Encourages* Member States to make illicit trafficking in forest products, including timber, involving organized criminal groups a serious crime, as defined in article 2, paragraph (b), of the United Nations Convention against Transnational Organized Crime,[4] where appropriate, in order to ensure that adequate and effective means of international cooperation can be afforded under the Convention in the investigation and prosecution of those engaged in illicit trafficking in forest products, including timber;

2. *Also encourages* Member States to undertake and promote bilateral, regional, subregional and international law enforcement cooperation, including, subject to national legislation, cooperation between law enforcement agencies, through joint investigations, including joint cross-border investigations, and the exchange of information, inter alia, information on legislation and law enforcement intelligence, to prevent and counter illicit trafficking in forest products, including timber, thereby promoting the sustainable management and conservation of forests;

[4] Ibid., vol. 2225, No. 39574.

3. *Strongly encourages* Member States to develop and implement, where necessary and consistent with international obligations, domestic and regional policies aimed at countering illicit trafficking in forest products, including timber;

4. *Encourages* Member States to strengthen, where necessary and appropriate, their domestic legal frameworks and law enforcement and judicial capacity, consistent with their international obligations and national legislation, to ensure that relevant legislation, including criminal laws, are available to tackle illicit trafficking in forest products, including timber;

5. *Strongly encourages* Member States to adopt adequate and effective measures, including, where appropriate, criminal laws and deterrent penalties, to prevent and combat illicit trafficking in forest products, including timber;

6. *Requests* Member States to take full advantage of the international cooperation provisions of the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption,[5] in appropriate cases, to prevent and combat illicit trafficking in forest products, including timber, and in that regard calls upon Member States that have not done so to consider becoming parties to those Conventions and calls for their full and effective implementation by States parties;

7. *Acknowledges* the efforts of the United Nations Office on Drugs and Crime, in coordination with other members of the International Consortium on Combating Wildlife Crime, to support Member States in the implementation of the *Wildlife and Forest Crime Analytic Toolkit* aimed at strengthening, where appropriate, the capacity of relevant forest law enforcement authorities and judiciaries in investigating, prosecuting and adjudicating forest-related offences, and requests the Office to continue providing support to the Member States, upon request, in the application of the *Toolkit*;

8. *Invites* the United Nations Office on Drugs and Crime, in coordination with other United Nations bodies and intergovernmental organizations, as appropriate and within their respective mandates, to promote enforcement related to illicit trafficking in forest products, including timber, and addressing its impact on sustainable development;

9. *Also invites* the United Nations Office on Drugs and Crime to work with Member States and other relevant United Nations bodies to identify good practices in the area of criminal law related to illicit trafficking in forest products, including timber;

10. *Further invites* the United Nations Office on Drugs and Crime to consider cooperation with member organizations of the Collaborative Partnership on Forests to promote effective forest law enforcement and governance, including by strengthening the development of tools and technologies for addressing illicit trafficking in forest products, including timber, inviting Member States to strengthen sustainable economic alternatives as an approach to preventing and combating illicit trafficking in forest products, including timber, and strengthening support for existing instruments and programmes such as the Thematic Programme

[5] Ibid., vol. 2349, No. 42146.

on Forest Law Enforcement, Governance and Trade of the International Tropical Timber Organization;

11. *Encourages* the United Nations Office on Drugs and Crime, in consultation with Member States and in cooperation with relevant intergovernmental organizations, to continue to provide technical assistance and training to prevent and combat illicit trafficking in forest products, including timber, and to promote the development of tools and technologies to enhance the detection, interdiction and prosecution of such crimes, in accordance with the rules and procedures of the United Nations;

12. *Requests* the United Nations Office on Drugs and Crime, in consultation with concerned Member States and in cooperation with relevant intergovernmental organizations, to undertake research that focuses on organized criminal networks involved in illicit trafficking in forest products, including timber, and invites Member States to contribute, on a voluntary basis, to such research;

13. *Invites* Member States and other donors to provide extrabudgetary contributions for such purposes, in accordance with the rules and procedures of the United Nations;

14. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report on the implementation of the present resolution to the Commission on Crime Prevention and Criminal Justice at its twenty-fifth session.